

Exhibit 3

PATRICK E. STOCKALPER, SBN 156954
MOLSHREE GUPTA, SBN 275101
KJAR, MCKENNA & STOCKALPER, LLP
841 Apollo Street, Suite 100
El Segundo, California 90245
Telephone (424) 217-3026
Facsimile (424) 367-0400
pstockalper@kmslegal.com
mgupta@kmslegal.com

Attorneys for Defendants,
**COUNTY OF LOS ANGELES and SERGEANT TRAVIS KELLY (erroneously
sued and served as “SHERIFF DEPUTY BADGE NUMBER 404532”)**
(Defendants is exempt from filing fees pursuant to Government Code § 6103)

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

JOSHUA ASSIFF,

Plaintiffs,

v.

COUNTY OF LOS ANGELES;
SHERIFF DEPUTY BADGE
NUMBER 404532; And DOES 1
through 10,

Defendants.

Case No.: 2:22-cv-05367 RGK(MAAX)

**DEFENDANT COUNTY OF LOS
ANGELES AND LOS ANGELES
COUNTY SHERIFF’S DEPARTMENT
RESPONSES TO PLAINTIFF’S
REQUEST FOR PRODUCTION, SET
TWO**

Action Filed: August 3, 2022
Pretrial Conference: July 10, 2023
Trial Date: July 25, 2023

Assigned to:
Hon. R. Gary Klausner, District Judge
Courtroom 850

All Discovery Matters Referred to:
Hon. Maria A. Audero, District Judge

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1 REQUESTING PARTY: Plaintiff, JOSHUA ASSIFF
2 RESPONDING PARTY: Defendant, COUNTY OF LOS ANGELES
3 SET NO.: TWO
4

5 **REQUEST FOR PRODUCTION NO. 9:**

6 Any and all DOCUMENTS including without limitation any and all reports,
7 statements, notes, documents, memoranda, photos, videos (including body worn camera
8 video), audio recordings, emails, or texts — whether written, recorded or secured in
9 digital format — CONCERNING the incident that occurred 24 minutes before the
10 encounter between Defendant Kelly and Plaintiff in which Detective Kelly responded to
11 a back-up request on an uncooperative driver (as described in section 55 in paragraph 3
12 on page 14 of Supervisor's Report on Use of Force which can be found on Document
13 COUNTY000110).

14
15 **RESPONSE TO REQUEST FOR PRODUCTION NO. 9:**

16 Objection, this request is vague, ambiguous, overbroad, and irrelevant. The
17 request is further objectionable in that it call for information protected from disclosure
18 by the attorney client privilege and work product doctrine. The request is further
19 objectionable in that it requests information protected by the right to privacy of third
20 parties guaranteed by the California Constitution and the United States Constitution,
21 First and Fourteenth Amendments. The request for production is further objectionable in
22 that it is beyond the scope permissible under FRCP Rule 26.

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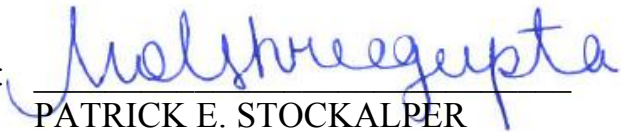
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1 Subject to and without waiving the foregoing objections, Responding Party
2 responds as follows: After diligent search and reasonable inquiry, Responding Party is
3 unable to comply with this request as it is neither able to locate any responsive records
4 nor determine that responsive documents ever existed. Discovery and investigation are
5 continuing, and Responding Party reserves the right to supplement this response.

6
7
8 Dated: April 10, 2023

KJAR, MCKENNA & STOCKALPER, LLP

9
10 By: 
11 PATRICK E. STOCKALPER
12 MOLSHREE GUPTA
13 Attorneys for Defendants,
14 COUNTY OF LOS ANGELES and SERGEANT
15 TRAVIS KELLY
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VERIFICATION

STATE OF CALIFORNIA)
)
COUNTY OF LOS ANGELES)
)
)

I have read the foregoing DEFENDANT COUNTY OF LOS ANGELES AND LOS ANGELES COUNTY SHERIFF'S DEPARTMENT RESPONSES TO PLAINTIFF'S REQUEST FOR PRODUCTION, SET TWO and know of its contents.

I am a party to this action. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

Executed on 4/6, 2023, at 0900 HRS, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

CAPTAIN DIEZ
Type or Print Name


Signature

CERTIFICATE OF SERVICE

I am employed in the County of Los Angeles, State of California; I am over the age of eighteen years and not a party to the within action; my business address is 841 Apollo Street, Suite 100, El Segundo, California 90245.

On April 10, 2023, I served the foregoing document described as **DEFENDANT COUNTY OF LOS ANGELES AND LOS ANGELES COUNTY SHERIFF'S DEPARTMENT RESPONSES TO PLAINTIFF'S REQUEST FOR PRODUCTION, SET TWO** on all interested parties in this action by placing a true copy thereof in a sealed envelope addressed as follows:

SEE ATTACHED SERVICE LIST

By Mail I caused such envelope(s) to be deposited in the mail at El Segundo, California. The envelope was mailed with postage thereon fully prepaid and addressed to the parties listed on the Service List. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. It is deposited with U.S. postal service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than 1 day after date of deposit for mailing in affidavit.

XX **By Email** Based upon a court order or an agreement of the parties to accept electronic service, I caused the documents to be sent to the persons at the electronic service addresses listed in the Service List. My email address is scarter@kmslegal.com.

XX **State** I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on April 10, 2023, at El Segundo, California.



Spencer Carter

SERVICE LIST

Assiff, Joshua vs. County of Los Angeles, et al.

Central District- Case No.: 2:22-cv-05367 RGK(MAAx)

Thomas M. Ferlauto, Esq. Law Office of Thomas M. Ferlauto, APC 25201 Paseo de Alicia, Ste. 270 Laguna Hills, CA 92653 EM: tmf@lawofficetmf.com	Attorney for Plaintiff, JOSHUA ASSIFF
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